

August 12, 2015

The Honorable Loretta Lynch
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

The Honorable John Kerry
Secretary
U.S. Department of State
Washington, D.C. 20520

Dear Attorney General Lynch, Secretary Johnson, and Secretary Kerry:

We write regarding the alarming increase in the number of individuals in the United States who have engaged in acts of terrorism or conspired to provide material support to foreign terrorist organizations over the last year. During a recent hearing before the Senate Judiciary Committee, FBI Director James Comey warned that while “[w]e are stopping [terrorist plots] so far through tremendous hard work . . . it is incredibly difficult. I cannot see me stopping these indefinitely.” Just one week later, five of our fine service members were murdered in an act of terrorism in Chattanooga.

Based on publicly available information, we have identified at least 72 individuals in the United States who, over the last year: have engaged in or attempted to engage in acts of terrorism; conspired or attempted to conspire to provide material support to a terrorist organization; engaged in criminal conduct inspired by terrorist ideology; or who have been sentenced for any of the foregoing. We would like to understand more about these individuals, and others similarly situated in recent history, and the nexus between terrorism and our immigration system.

Accordingly, please complete the following items and answer the following questions no later than September 4, 2015:

1. Please coordinate between your Departments and any other relevant agencies to provide the information in the attached table titled "Publicly Identified Cases Involving a Nexus to Terrorism from July 2, 2014, through August 11, 2015." Please also ensure the accuracy of the existing information provided therein and add any additional cases that are not currently listed involving similarly situated individuals during the same period.
2. For each non-citizen or naturalized citizen listed in the attached table, please provide a complete, unredacted copy of the individual's Alien File.
3. Since February 26, 1993, please provide the number of non-citizens – broken down by immigration status – who have, at any time after their initial entry or admission to the United States, been identified by any federal agency as:
 - a. A member of a terrorist organization,¹ or a member of a political, social, or other group that endorses or espouses terrorist activity;
 - b. A representative of a terrorist organization, or a representative of a political, social, or other group that endorses or espouses terrorist activity;
 - c. Having an association of any kind with a terrorist organization, or a political, social, or other group that endorses or espouses terrorist activity;
 - d. Having engaged in terrorist activity;
 - e. Having incited terrorist activity;
 - f. Having engaged in criminal conduct inspired by terrorist ideology;
 - g. Having endorsed or espoused terrorist activity, or persuaded others to endorse or espouse terrorist activity or support a terrorist organization;
 - h. Having received military-type training from or on behalf of any organization that, at the time the training was received, was a terrorist organization;
 - i. Having provided material support to any terrorist organization;
 - j. Having sworn allegiance to any terrorist organization, or to any person affiliated with any foreign terrorist organization; or
 - k. Having attempted or conspired to engage in any of the associations or conduct listed above.

¹ For the purposes of this letter and the response thereto, any reference to the term "terrorist organization" refers to the definition provided in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (INA), as amended.

4. For the individuals identified in Question 3, please provide the total number who have ever been prosecuted for a federal crime related in any way to terrorism.
5. For the individuals identified in Question 3, please provide the total number who are currently in the United States.
 - a. Of those, please provide the total number who are currently in the custody of a federal, state, or local agency.
 - b. Of those, please provide the total number who are currently in removal or deportation proceedings, and of those, how many are currently detained by U.S. Immigration and Customs Enforcement.
6. For the individuals identified in Question 3, please provide the total number who have been removed or deported from the United States.
7. For the individuals identified in Question 3, please provide the total number who have been placed into removal or deportation proceedings, but who were allowed to remain in the United States.
8. For the individuals identified in Question 3, please provide the total number who are currently believed to be outside of the United States and actively involved in any activity related in any way to terrorism.
9. Since February 26, 1993, how many individuals have been denied admission to the United States pursuant to section 212(a)(3)(B) or (F) of the INA?
10. Since February 26, 1993, how many individuals have been denied a visa for any reason related in any way to terrorism?
11. Since February 26, 1993, please provide the number of U.S. citizens – broken down by natural-born and naturalized citizens – who have been identified by any federal agency as:
 - a. A member of a terrorist organization, or a member of a political, social, or other group that endorses or espouses terrorist activity;
 - b. A representative of a terrorist organization, or a representative of a political, social, or other group that endorses or espouses terrorist activity;
 - c. Having an association of any kind with a terrorist organization, or a political, social, or other group that endorses or espouses terrorist activity;
 - d. Having engaged in terrorist activity;
 - e. Having incited terrorist activity;
 - f. Having engaged in criminal conduct inspired by terrorist ideology;
 - g. Having endorsed or espoused terrorist activity, or persuaded others to endorse or espouse terrorist activity or support a terrorist organization;

- h. Having received military-type training from or on behalf of any organization that, at the time the training was received, was a terrorist organization;
 - i. Having provided material support to any terrorist organization;
 - j. Having sworn allegiance to any terrorist organization, or to any person affiliated with any foreign terrorist organization; or
 - k. Having attempted or conspired to engage in any of the associations or conduct listed above.
12. For the individuals identified in Question 11, please provide the total number who have ever been prosecuted for a federal crime related in any way to terrorism.
13. For the individuals identified in Question 11, how many have been denaturalized for any reason pursuant to section 340 of the INA?
14. For the individuals identified in Question 11, how many have relinquished their citizenship pursuant to section 349 of the INA?
15. For the individuals identified in Question 11, please provide the total number who are currently believed to be outside of the United States and actively involved in any activity related in any way to terrorism.

We appreciate your prompt attention to this matter. Please contact our staffs if you have any questions regarding this request.

Very truly yours,

Jeff Sessions
United States Senator

Ted Cruz
United States Senator